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# Treaty-based governance & EBM over the marine estate in Aotearoa

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**This summary was prepared by Dr Robert Joseph from Te Mata Hautū Taketake – the Māori and Indigenous Governance Centre, Te Piringa Faculty of Law, University of Waikato for Ko Ngā Moana Whakauka Sustainable Seas National Science Challenge.**

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Ko Ngā Moana Whakauka Sustainable Seas National Science Challenge is committed to the appropriate protection, management and use of mātauranga Māori within its research, outputs and outcomes. This is expressed through the respect and integrity of our researchers, both Māori and non-Māori, and in our approach to ethics and the management of intellectual property. Where mātauranga Māori is sourced from historical repositories, we recognise the obligation to take all reasonable steps to ensure its protection and safeguard for future generations. We also acknowledge the findings of the Waitangi Tribunal in relation to *Ko Aotearoa Tēnei: A report into claims concerning New Zealand law and policy affecting Māori culture and identity* and are committed to working with Māori researchers and communities to refine our approach.

## **About the Sustainable Seas National Science Challenge**

Our vision is for Aotearoa New Zealand to have healthy marine ecosystems that provide value for all New Zealanders. We have 60+ research projects that bring together around 250 scientists, social scientists, economists, and experts in mātauranga Māori and policy from across Aotearoa New Zealand. We are one of 11 National Science Challenges, funded by the Ministry of Business, Innovation and Employment.

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# Introduction

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This document summarises key information from the 2020 report *Stemming the colonial environmental tide: shared Māori governance jurisdiction and ecosystem-based management over the marine and coastal seascape in Aotearoa New Zealand – possible ways forward*.

The report articulates in detail the alarming environmental challenges that are currently undermining the health and well-being of our marine estate, and explores ecosystem-based management (EBM) with Māori as co-governing Treaty partners as a viable solution going forward.

This document summarises the report by first outlining the grim environmental state of our marine estate, and the proposed globalised solution of ecosystem-based management but adapted to an Aotearoa New Zealand context by referring to seven key Sustainable Seas pou (pillars) for implementing EBM locally. It then elaborates briefly on each pou from Te Ao Māori (worldviews), mātauranga (philosophy) and tikanga Māori (law) perspectives to provide some insights into, and as an appetiser for, exploring the main report deeper.



To view the report, scan with your phone camera.

# Current marine estate environmental crisis

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The impacts of climate change compounded by the neoliberal effects of developing global economies, industry, growing populations, and overconsumption of resources have led to the dramatic degradation and destruction of terrestrial and marine ecosystems globally and in Aotearoa New Zealand, which impacts on all of us as New Zealanders.<sup>1</sup> The resounding awareness and reality

of the importance of repairing, restoring and sustaining our environment for future generations has highlighted the need to radically amend current resource management vision, philosophies, priorities, policy, practices, laws and institutions that are more collective, targeted, effective and cohesive across the Aotearoa New Zealand landscape and marine and coastal estate.<sup>2</sup>

## Proposed solution: EBM?

**Ecosystem-based management (EBM) has been thoroughly investigated by the Ko Ngā Moana Whakauka Sustainable Seas National Science Challenge as a viable solution for remedying the alarming environmental degradation occurring globally and for ocean co-governance and management in Aotearoa New Zealand.**

Some of the key elements of EBM globally include a multi-disciplinary approach as well as the inclusion of humans as ecocentric 'integral components' of ecosystems as opposed to separate anthropocentric external actors.<sup>3</sup> Unlike other approaches, EBM can be implemented concurrently with other existing management plans hence it need not be considered a cut and dry replacement to any existing scheme. Furthermore, EBM is an integrative and cooperative approach between

sectors, stakeholders and users at every level of society; hence EBM should be more accessible and inclusive of sections of society that would not have the ability to participate otherwise. Neither does EBM negate different paradigms and worldviews, rather it seeks to balance those interactions. One such group in Aotearoa New Zealand is Māori communities with their respective the Te Ao Māori, mātauranga and tikanga Māori paradigms and worldviews.

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1. Ministry for the Environment, Environment Aotearoa 2019: New Zealand's Environmental Reporting Series, (Ministry for the Environment and Stats NZ, Wellington, 2019)
  2. Stemming the Colonial Environmental Tide Report at 16
  3. United Nations Environment Programme, Ecosystem-based Management: Markers for assessing progress (UNEP/GPA 2006)



# Tikanga Māori me Te Tiriti o Waitangi

The traditional legal system for Māori was based on tikanga Māori (customary law) and kawa (rituals) that embody core values and principles that reflect doing what is right, correct or appropriate where correctness, justice or rightness is maintained.<sup>4</sup> Tikanga Māori are Māori customary values, practices, protocols, customs, ethics

and law. Indeed, the late and highly respected Anglican Bishop, Manuhua Bennett, defined tikanga as “doing things right, doing things the right way, and doing things for the right reasons”<sup>5</sup> which overarching principles are appropriate for adopting and implementing in EBM over the marine estate.

Many Indigenous cultures already adhere to EBM sustainability principles such as:

1	Holistic connections and relationships within ecosystems
2	Cumulative effects affect marine welfare
3	The natural structure and function of ecosystems and their productivity
4	Incorporate human use and values of ecosystems in managing the resource
5	Recognise that ecosystems are dynamic and constantly changing
6	Are based on a shared vision and all key participants and
7	Are based on scientific Indigenous knowledge, adopted by continual learning and monitoring <sup>6</sup>

Indigenous peoples often have an affinity and a familiarity with the world around them that has gradually been developed over time and space. In Te Ao Māori, this relationship between humans and nature can be understood through tikanga Māori concepts such as whānaungatanga (inter-relationships) and whakapapa (ancestral links to the physical and metaphysical environment).

A similar advantage of both EBM and tikanga Māori is flexibility. Tikanga Māori could correlate

harmoniously with EBM generally in Aotearoa New Zealand by focusing on what EBM is striving to achieve and how to achieve its ends.

Given that tikanga Māori focuses on relationships and the physical and metaphysical world, process is as important as the outcomes sought to maintain mana (rights, interests and responsibilities), rangatiratanga (jurisdiction authority) and tau utuutu (reciprocity and balance).

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4. Williams J, (2013). “Lex Aotearoa: A Heroic Attempt at Mapping the Māori Dimension in Modern New Zealand Law” 21 Wai L Rev 2. See also Joseph R, (2009). “Re-Creating Space for the First Law of Aotearoa-New Zealand” 17 Wai L Rev 74

5. Cited in Benton R, Frame A, and Meredith P, (2013). Te Mātāpunenga: A Compendium of References to the Concepts and Institutions of Māori Customary Law (Te Mātāhauariki Research Institute, University of Waikato, Victoria University Press) at 431

6. Stemming the Colonial Environmental Tide Report at 499



### Human activities

Humans, along with their multiple uses and values for the marine environment, are part of the ecosystem.



### Co-governance

Governance structures that provide for Treaty of Waitangi partnership, tikanga and mātauranga Māori.



### Knowledge-based

Based on science and mātauranga Māori, and informed by community values and priorities.



# EBM

## Ecosystem-based management for Aotearoa

A holistic and inclusive way to manage marine environments and the competing uses for, demands on, and ways New Zealanders value them.



### Sustainability

Marine environments, and their values and uses, are safeguarded for future generations.



### Collaborative decision-making

Collaborative, co-designed and participatory decision-making processes involving all interested parties.



### Tailored

Place and time specific, recognising all ecological complexities and connectedness, and addressing cumulative and multiple stressors.



### Adapts

Flexible, adaptive management, promoting appropriate monitoring, and acknowledging uncertainty.



## EBM for Aotearoa New Zealand: seven pou

Ko Ngā Moana Whakauka Sustainable Seas National Science Challenge has looked at international principles for EBM and developed this draft tailored set to fit in an Aotearoa New Zealand context that fundamentally acknowledges Te Ao Māori and shared co-governance. The seven Aotearoa New Zealand Sustainable Seas EBM pou principles are:

1. Human activities
2. Co-governance
3. Knowledge-based
4. Sustainability
5. Collaborative decision-making
6. Tailored
7. Adapts

*Stemming the colonial environmental tide* similarly and fully endorses these seven Aotearoa New Zealand EBM pou (principles) and expands on how our legal, political and environmental context could fundamentally acknowledge mātauranga and tikanga Māori law through shared co-governance jurisdiction Treaty of Waitangi partnerships and other agreements within this EBM context over the marine estate.

Each of these seven EBM Aotearoa New Zealand pou are summarised on the following pages, with some brief comments from the report.



### 1. Human activities

**EBM acknowledges humans as ecosystem components with multiple values.**

As noted above, Māori historically displayed a variety of cultural patterns and traditions, a set of abstract cultural values and ways of organising social life and refer to these as mātauranga Māori (knowledge and philosophy) and tikanga Māori (customary law). Under mātauranga and tikanga Māori, Māori communities consider themselves related to all living things through values such as whakapapa (genealogy) which refers to each individual's connection to their ancestors and future generations. All things in the Māori world have a whakapapa. Whakapapa also connects Māori to their natural surroundings and those natural surroundings to Māori.

Furthermore, Māori express other important tikanga values such as mauri which refers to the essential quality of a being or entity such as the ecosystem in which this essence is located. All animate and inanimate objects have mauri. Māori also express whānaungatanga (relationships) with their surrounding environment in the form of kaitiaki (stewardship) relationships. Whakapapa creates an intimate link between relationships, a link that extends to the mana (authority) of a person or a place. Any diminution in the mana and mauri of a place, will result in a diminution of an individual's mana through shared whakapapa.<sup>7</sup>

7. *Stemming the Colonial Environmental Tide Report* at 74



## 2. Co-governance

**EBM includes a co-governance and co-design structure that recognises the Māori Tiriti o Waitangi constitutional relationship and mana whenua at all levels together with the guiding principles of mauri, whakapapa, kaitiakitanga, mātauranga-a-whānau, mātauranga-a-hapū, and mātauranga-a-iwi.**

Co-management and co-governance are broad concepts covering a wide range of techniques where two or more groups collaborate by sharing in the governance and operational management of land and natural resources which typically involves the sharing of responsibility between a local community and government.<sup>8</sup> Co-governance is about shared governance; jointly deciding objectives and priorities, sharing power, authority, jurisdiction and responsibility, and being jointly held accountable for outcomes.

Māori mana whakahaere tōtika - governance jurisdiction - today could include the shared

governance responsibility of Māori communities with local authorities and other communities to maintain a degree of law and order within their respective tribal rohe (territories) and even to resolve disputes between tribal citizens and others which could include some type of adjudicatory authority within the community for both criminal actions such as poaching, and civil disputes over marine resources such as breach of rāhui (temporary restriction placed by kaitiaki over access to and use of an area).<sup>9</sup>



**... guiding principles  
of mauri, whakapapa,  
kaitiakitanga,  
mātauranga-a-whānau,  
mātauranga-a-hapū,  
and mātauranga-a-iwi.**

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8. Taiepa T, Lyver P, Horsley J, Davis M, Bragg M and Moller H, (1997) 'Co-Management of New Zealand's Conservation Estate by Māori and Pākehā: A Review,' in Foundation for Environmental Estate, (Vol. 24, No. 3) 236 at 237

9. Stemming the Colonial Environmental Tide Report at 47





### 3. Knowledge-based

**EBM has clear goals and objectives based on knowledge.**

Traditional Māori worldviews, goals and objectives were based in mātauranga Māori (Māori knowledge systems, philosophy and ways of knowing) and tikanga Māori (customary law) over taonga. When Māori signed the Treaty of Waitangi in 1840, one of the clear goals and objectives of the rangatira (chiefs) was that Māori would maintain, and the Crown would protect, their rangatiratanga (chieftainship) and mana whakahaere tōtika (shared governance jurisdiction) over taonga (valued natural resources), and that the taonga would be sustained for future generations in perpetuity.<sup>10</sup>

The report referred to a 'taonga test' based on mātauranga Māori knowledge for 'stewardship jurisdiction' over coastal and marine areas by the Waitangi Tribunal. In assessing whether a waterway was a taonga to any particular group, the Tribunal considered the intensity of the Māori association with the waterway including the originating ancestral relationship and an ongoing cultural and spiritual relationship with the waterway; the exercising of control and authority over the resources, and the fulfilment of obligations to conserve, nurture and protect the waterway.<sup>11</sup>



### 4. Sustainability

**EBM views long-term sustainability as a fundamental value, in particular maintaining values and uses for future generations.**

Mātauranga and tikanga Māori embrace intergenerational continuity where the past, present and future converge which compels Māori communities to adopt long-term sustainable views on their past and future in current decision-making. Embedded in tikanga Māori then is this values-based long-term sustainability view that transcends the right to use natural resources. It is the responsibility to so use and to maintain to

the fullest practicable extent pure, clean coastal marine regimes. Responsibility is a concept that is an incident of mana whakahaere tōtika (governance jurisdiction) that requires a balancing of the benefits of stewardship/ownership with the responsibilities of stewardship/ownership. It is an intergenerational sustainability responsibility that is owed to one's tūpuna (forebears) and mokopuna (descendants).<sup>12</sup>

10. Stemming the Colonial Environmental Tide Report at 493

11. Stemming the Colonial Environmental Tide Report at 64. See also Waitangi Tribunal, The Stage 1 Report on the National Freshwater and Geothermal Resources Claim (Wai 2358, Wellington, 2012) at 51

12. Stemming the Colonial Environmental Tide Report at 58



## 5. Collaborative decision-making

**EBM includes collaborative and participatory management throughout the whole process, considering all values and involving all interested parties from agencies and Iwi to industries, whānau, hapū and local communities.**

For the many diverse communities in Aotearoa New Zealand to come together to effectively implement EBM over the marine and coastal estate, effective collaboration is critical<sup>13</sup> which is defined as working with others towards a shared goal or to manage differences.<sup>14</sup> Collaboration is often perceived as a way to do something that would not otherwise be possible on one's own. According to Wood and Gray, there are six broad reasons for collaboration:

1. Sharing resources or intelligence
2. Improving performance
3. Reducing strategic threats
4. Improving efficiency
5. Creating structures or institutions or
6. Increasing access to power or resources.<sup>15</sup>

Collaboration is moreover, highly dependent on relationships that are structured to deliver a collective strategy which must be underpinned by trust and good communication. It must manage power asymmetries in a way that shares power between organisations;<sup>16</sup> does not dilute the objectives that each organisation seeks from the collaboration;<sup>17</sup> and should empower the groups as a whole.

The relationships should moreover, be considered paramount to the collaboration so that if collaboration puts the relationship under strain, then the collaboration as a project, should be reconsidered.<sup>18</sup>

Historically under tikanga Māori, some Māori communities excelled with collaboration projects such as the Declaration of Independence 1835,<sup>19</sup> Te Tiriti o Waitangi 1840,<sup>20</sup> the Kīngitanga 1858<sup>21</sup>

and Paremata Māori 1890.<sup>22</sup> Contrary to other commentaries, tikanga Māori processes were inclusive, considered others' views, involved all interested parties, and were even deemed to be democratic in their decision-making. For example, Francis Dart Fenton, resident magistrate in the Waipa and Waikato from 1857–1858, was impressed by the spontaneous efforts of Waikato hapū to establish rūnanga committees to settle grievances and punish wrongdoers for breaching law. In 1857, Fenton sent his official report on Native Affairs in the Waikato District and recorded an interesting observation regarding Māori decision-making, inclusiveness and democracy when he recorded:

*No system of government that the world ever saw can be more democratic than that of the Maoris. The chief alone has no power. The whole tribe deliberate on every subject, not only politically on such as are of public interest, but even judicially they hold their 'komitis' [committees] on every private quarrel. In ordinary times the vox populi [opinions or beliefs of the majority] determines every matter, both internal and external. The system is a pure pantocracy [all powerful system], and no individual enjoys influence or exercises power, unless it originates with the mass and is expressly or tacitly conferred by them. In case of war, the old chief would be a paramount dictator: in times of peace he is an ordinary citizen. 'Ma te runanga e whakatu i a au, ka tu ahau.' 'If the assembly constitutes me, I shall be established,' is an expression I heard used by a chief of rank, and perfectly represents the public sentiment on the question.<sup>23</sup>*



Prior to the Waikato War campaign, an 1861 Māori newspaper article similarly referred to this notion of Māori consensus decision-making, inclusiveness and democracy within rūnanga, which reported:

*But with the Maori Runanga, all must assemble together, the small and the great, the husband, the wife, the old man, the old woman and*

*the children, the knowing and the foolish, the thoughtful and the pre-sumptuous: these all obtain admittance to the Runanga Maori, with all their thoughts and speeches: this woman gets up and has her talk and that youth gets up and has his, and the headstrong carry off the debate, whilst the elder men sit still in silence.<sup>24</sup>*

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13. Stemming the Colonial Environmental Tide Report at 31
  14. Kania J, and Kramer M, (2013) 'Embracing Emergence: How Collective Impact Addresses Complexity,' in Stanford Social Innovation Review, (Vol. 21)
  15. Wood D J, and Gray B, (1991). 'Towards a Comprehensive Theory of Collaboration,' in The Journal of Applied Behavioural Science, (Vol. 27, No. 2) at 139-162
  16. Bene C, and Neiland A.E, (2004) 'Empowerment Reform, Yes... but Empowerment of whom? Fisheries decentralization reforms in developing countries: a critical assessment with specific reference to Poverty Reduction,' in Aquatic Resources, Culture and Development, (Vol. 1) at 35-49
  17. Cornell S, and Kalt J, (2006). Two Approaches to Economic Development on American Indian Reservations: One Works, the Other Doesn't, (Harvard University Press)
  18. Smith G.H, Tinirau R, Gilles A, and Warriner V, (2015). He Mangopare Amohia: Strategies for Māori Economic Development, (Whakatāne: Te Whare Wānanga o Awanuiārangi)
  19. See Waitangi Tribunal, He Whakaputanga me te Tiriti: The Declaration and the Treaty: The Report on Stage 1 of the Te Paparahi o Te Raki Inquiry, (Wai 1040, Waitangi Tribunal Report 2014). In 2014, the Waitangi Tribunal concluded that the rangatira who signed te Tiriti o Waitangi in February 1840 did not cede sovereignty to the British Crown. See <https://waitangitribunal.govt.nz/news/report-on-stage-1-of-the-te-paparahi-o-te-raki-inquiry-released-2/> (Accessed May 2021)
  20. See Orange C, (1987). The Treaty of Waitangi (Allen & Unwin Press & Port Nicholson Press, Wellington) and Colenso, W, (1890). The Authentic and Genuine History of the Signing of the Treaty of Waitangi (Government Printer, Wellington)
  21. For references on the Kīngitanga, see Jones P, (1959). King Potatau: An Account of the Life of Potatau Te Wherowhero the First Māori King (Polynesian Society, Wellington); King M, (1977). Te Puea: A Biography, (Hodder & Stoughton, Auckland); and Mahuta R, (1992) 'The Kingitanga,' in King, M, Te Ao Hurihuri: Aspects of Maoritanga, (Reed, Auckland)
  22. See Cox L, (1993). Kotahitanga: The Search for Maori Political Unity, (Oxford University Press)
  23. Fenton FD, (1860). "Reports from Mr Fenton, R.M, as to Native Affairs in the Waikato District" AJHR (Session 1, E-01c) at 11
  24. Te Manuhiri Tūarangi: The Maori Intelligencier (No 10, August 1861) at 10



## 6. Tailored

**EBM is place and time-specific, recognising/understanding the ecosystem as a whole in all its ecological complexities and connectedness and addressing cumulative and multiple stressors.**

Te Ao Māori is the Māori world view that acknowledges the interconnectedness and interrelationship of all living and non-living things. Given that Māori are literally tangata whenua – the ‘people of the land’ of a specific rohe (territory) – the people are imbued with a special inter-

generational kaitiaki relationship and physical and metaphysical connectedness to the rohe. Te Ao Māori is also fundamentally a holistic ecosystemic world view where they view the environment framed by a holistic approach that seeks to understand the total system, not just parts of it.<sup>25</sup>



## 7. Adapts

**The ability of Māori and non-Māori communities to collaborate and adapt while maintaining the groups’ cultural uniqueness, values and norms is crucial for appropriately reconciling and implementing EBM over the marine estate in 21st century Aotearoa New Zealand.**

The ability of Māori and non-Māori communities to collaborate and adapt while maintaining the groups’ cultural uniqueness, values and norms is crucial for appropriately reconciling and implementing EBM over the marine estate in 21st century Aotearoa New Zealand.<sup>26</sup>

All cultures adapt and evolve in time and with new knowledge and technology. Mātauranga and tikanga Māori are neither static nor unchanging but are dynamic, regenerative, and are capable of evolving to respond to modern day shifts and to being updated in the 21st century. While the traditional tikanga Māori principles and values such as mana, whakapapa and kaitiakitanga

are deeply embedded and enduring, they are however, always interpreted, differentially weighted and applied in practice in relation to particular contexts, giving ample scope for choice, flexibility and innovation. If anything can be identified as originating in and handed down from the pre-European Māori tūpuna (ancestors) unchanged, it is not any particular social form, such as iwi (tribes) and hapū (sub-tribes), or particular practices such as kaitiakitanga (stewardship) and mana whenua (authority over land), but the principle of creative adaptation itself.<sup>27</sup>

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25. Stemming the Colonial Environmental Tide Report at 72

26. Stemming the Colonial Environmental Tide Report at 73

27. Stemming the Colonial Environmental Tide Report at 73

## Conclusion

**The 2020 *Stemming the colonial environmental tide* report focused on analysing EBM through the incorporation of mātauranga and tikanga Māori and shared concurrent governance jurisdiction through Treaty of Waitangi partnerships and other constructive arrangements over the marine and coastal estate. The report extensively analysed the legal enablers, opportunities and challenges at this law interface and respectfully proposed that we as New Zealanders embrace the above EBM approach in our Aotearoa New Zealand context.**

Our Sustainable Seas Aotearoa New Zealand approach to EBM provides an incredible opportunity for New Zealand to become a world leader in tailoring any potential EBM strategy, policy, laws and institutions around our unique legal, political, cultural and constitutional context and in a manner that is compatible with who we are and who we aspire to be as a bicultural and multicultural, prosperous and environmentally sustainable, nation.

Mātauranga and tikanga Māori philosophy, laws, institutions and methodologies over natural resource governance and management were guaranteed in the Treaty of Waitangi. Furthermore, mātauranga and tikanga Māori appear to be congruent with contemporary EBM principles and best practices over natural resources. In fact, mātauranga and tikanga Māori offer an alternative view of what is sustainable EBM and postulates the need to constrain economic development and growth in the interests of human survival, prosperity and the survival of the natural world.

Mātauranga and tikanga Māori environmental perspectives then deserve to be fully integrated, not treated as an afterthought or as matters placed in opposition to (or as grudging concessions) to a dominant mainstream New Zealand paradigm. To treat them as a separate theme would deny their potential for effective synergies and mātauranga and tikanga Māori led shared environmental governance is what is

distinct about environmental governance and potentially effective EBM in an Aotearoa New Zealand context.

There is a pressing need then to:

- Modify mainstream policies, laws and institutions to implement EBM over the coastal marine estate by providing alternatives for Māori and other communities that would assist with sustaining the coastal marine estate for future generations, enriching national life, and to facilitate a genuine unity of people based on mutual respect
- Focus not only on managing cultural differences but also on acknowledging our common ground and inter-dependence including our fundamental love of New Zealand oceans and beaches for their inherent beauty, as part of our 'clean green' image and shared identity, for recreation, swimming, kayaking, walking and fishing as well as balanced commercial development for industry

All New Zealanders then have an important role to play in this shared goal and vision.

For EBM to be effective, we need to collaborate successfully as a nation. The essence of any successful collaborative relationship is in unity or oneness, not sameness, or assimilation, but in complementarity as Kīngi Tawhiao once opined when facing a daunting future for his Tainui people following the Waikato War campaign: Mehemea karekau ana he whakakitenga, kia

mate te iwi – Where there is no vision, the people perish.<sup>28</sup> Each group needs to respect the ‘other(s)’, to seek and embrace common-ground affinities, accommodate differences, and to work to change our own prejudices.

Such initiatives may appear to be radical but are actually measured options to consider as possible viable ways, some would assert the only way forward, for significantly improving sustainable resource co-governance and co-management over the marine estate. In fact, the future survival

of the marine and coastal estate of Aotearoa New Zealand – and therefore of Aotearoa New Zealand as a country given we are an island state – will depend on how we effectively implement shared co-governance and concurrent jurisdiction between the Crown, local government, Māori, and other key communities and stakeholders within this EBM context. We have to work together more than ever before because the future of our great nation depends on today and what we do with it.



**Kei raro i ngā tarutaru,  
ko ngā tuhinga o ngā tūpuna.  
Beneath the herbs and plants are  
the writings of our ancestors.<sup>29</sup>**

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28. Jones P, (1968). ‘Maori Kings,’ in Schwimmer, E (Ed.), *The Maori People in the Nineteen Sixties*, (Reed, Auckland)

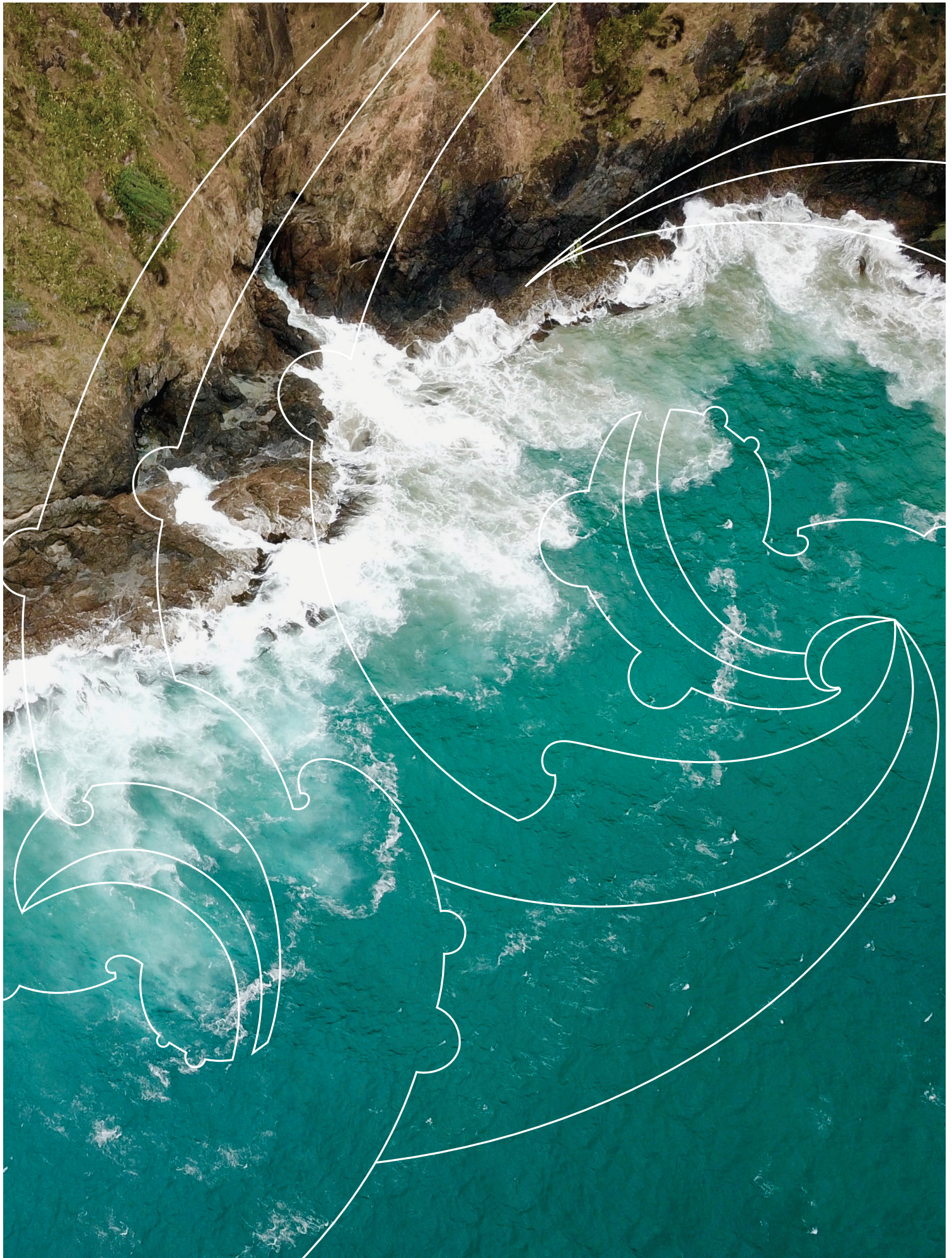
29. *Stemming the Colonial Environmental Tide Report* at 502. Waitangi Tribunal, *Ko Aotearoa Tenei: A Report into Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity* (Wai 262, Legislation Direct, Wellington, 2011) at 237. Available online at [www.waitangitribunal.govt.nz](http://www.waitangitribunal.govt.nz) (Accessed September 2021): ‘The environment, therefore, cannot be viewed in isolation. There is an old saying: Kei raro i ngā tarutaru, ko ngā tuhinga o ngā tūpuna.’ (Beneath the herbs and plants are the writings of our ancestors). Mātauranga Māori [Māori traditional knowledge] is present in the environment: in the names imprinted on it; and in the ancestors and events those names invoke. The mauri [spirit or life-force] in land, water, and other resources, and the whakapapa [genealogy] of species, are the building blocks of an entire world view and of Māori identity itself. The protection of the environment, the exercise of kaitiakitanga [guardianship], and the preservation of mātauranga [knowledge] in relation to the environment then are all inseparable from the protection of Māori culture itself





There is a pressing need to modify mainstream policies, laws and institutions to implement EBM over the coastal marine estate by providing alternatives for Māori and other communities that would assist with sustaining the coastal marine estate for future generations, enriching national life, and to facilitate a genuine unity of people based on mutual respect.





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